

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSE ALBERTO GARCIA,

Plaintiff,

v.

COUNTY OF STANISLAUS, et al.,

Defendants.

Case No. 1:21-cv-00331-JLT-SAB

ORDER VACATING AUGUST 10, 2022
HEARING ON PLAINTIFF'S MOTION TO
COMPEL DISCOVERY

(ECF No. 29)

On June 27, 2022, Plaintiff filed a notice of motion to compel discovery. (ECF No. 29.) The hearing on the motion was originally set for July 27, 2022. The notice indicates that, the grounds for the motion, "including substantive argument, and any declarations, exhibits, or other materials in support thereof, will be filed with the Joint Statement re Discovery Disagreement, pursuant to Local Rule 251(c), which the Parties shall file fourteen days before the hearing. . . ." (Id. at 2.) On June 28, 2022, the Court continued the hearing to August 10, 2022. (ECF No. 30.)

Pursuant to Local Rule 251, as acknowledged by Plaintiff in his notice of motion, a hearing on any discovery motion pursuant to Federal Rules of Civil Procedure 26 through 37 and 45 requires the parties' joint statement regarding the discovery disagreement to be filed at least fourteen (14) days before the scheduling hearing date. E.D. Cal. L.R. 251(a) (Eff. Mar. 1. 2022). If the joint statement is not timely filed, the hearing may be dropped from the calendar without prejudice. Id. Plaintiff's motion to compel is currently set for hearing on August 10, 2022.

1 Accordingly, the parties' joint statement was due by July 27, 2022. No statement, however, was
2 filed.

3 Accordingly, IT IS HEREBY ORDERED that the hearing on Plaintiffs' motion
4 to compel production (ECF No. 29) set for August 10, 2022, at 10:00 a.m. in Courtroom
5 9, is DROPPED from calendar pursuant to Local Rule 251, without prejudice to the parties
6 refiling notice of a new hearing date in compliance with the Local Rules.

7
8 IT IS SO ORDERED.

9 Dated: July 28, 2022


UNITED STATES MAGISTRATE JUDGE